

Muscat

AMITY AND COMMERCE

Treaty signed at Muscat September 21, 1833

Senate advice and consent to ratification June 30, 1834

Entered into force June 30, 1834

Ratified by the President of the United States January 3, 1835

Ratified by Muscat September 30, 1835

Ratifications exchanged at Muscat September 30, 1835

Proclaimed by the President of the United States June 24, 1837

Replaced June 11, 1960, by agreement of December 20, 1958¹

8 Stat. 458; Treaty Series 247²

A TREATY OF AMITY AND COMMERCE, BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY SEYED SYEED BIN SULTAN OF MUSCAT AND HIS DEPENDENCIES

ARTICLE 1. There shall be a perpetual Peace between the United States of America and Seyed Syeed bin Sultan and his dependencies.

2. The Citizens of the United States shall have free liberty to enter all the Ports of His Majesty Seyed Syeed bin Sultan, with their Cargoes of whatever kind the said cargoes may consist, & they shall have the liberty to sell the same, to any of the subjects of the Sultan, or others who may wish to buy the same, or to barter the same for any produce or manufactures of the Kingdom, or other articles that may be found there—no price shall be fixed by the Sultan or his Officers on the articles to be sold by the Merchants of the United States, or the merchandize they may wish to purchase—but the trade shall be free on both sides, to sell, or buy, or exchange on the terms, & for the price the owners may think fit—and whenever the said Citizens of the United States may think fit to depart they shall be at liberty so to do—and if any Officer of the Sultan shall contravene this Article, he shall be

¹ 11 UST 1835; TIAS 4530.

² For a detailed study of this treaty, see 3 Miller 789.

severely punished. It is understood & agreed however, that the articles of Muskets, Powder and Ball can only be sold to the Government in the Island of Zanzibar—but in all the other ports of the Sultan, the said munitions of war may be freely sold, without any restrictions whatever to the highest bidder.

3. Vessels of the United States entering any port within the Sultan's dominions, shall pay no more than Five per centum Duties on the Cargo landed; and this shall be in full consideration of all import & export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever. Nor shall any charge be paid on that part of the cargo which may remain on board unsold, & reexported—nor shall any charge whatever be paid on any vessel of the United States which may enter any of the Ports of His Majesty for the purpose of re-fitting, or for refreshments, or to enquire the state of the market.

4. The American Citizen shall pay no other duties on export or import, tonnage, license to trade, or other charge whatsoever, than the nation the most favored shall pay.

5. If any vessel of the United States shall suffer Shipwreck on any part of the Sultans Dominions, the persons escaping from the wreck shall be taken care of and hospitably entertain'd at the expense of the Sultan, until they shall find an opportunity to be return'd to their country—for the Sultan can never receive any remuneration whatever for rendering succour to the distress'd—and the property saved from such wreck, shall be carefully preserv'd and delivered to the owner, or the Consul of the United States, or to any authorized Agent.

6. The Citizens of the United States resorting to the Ports of the Sultan for the purpose of trade, shall have leave to land, & reside in the said Ports, without paying any tax or imposition whatever for such liberty, other than the General Duties on Imports which the most favored nation shall pay.

7. If any citizens of the United States, or their vessels, or other property shall be taken by Pirates, and brought within the Dominions of the Sultan, the persons shall be set at liberty, and the property restored to the owner if he is present, or to the American Consul, or to any authorized agent.

8. Vessels belonging to the subjects of the Sultan which may resort to any port in the United States, shall pay no other or higher rate of Duties, or other charges, than the nation the most favored shall pay.

9. The President of the United States may appoint Consuls to reside in the Ports of the Sultan where the principal commerce shall be carried on; which Consuls shall be the exclusive judges of all disputes or suits wherein American Citizens shall be engaged with each other. They shall have power to receive the property of any American Citizen dying within the Kingdom, and to send the same to his heirs, first paying all his debts due to the subjects of the Sultan. The said Consuls shall not be arrested, nor shall their property be seized.

Nor shall any of their household be arrested, but their persons, and property, & their houses, shall be inviolate—Should any Consul however, commit any offence against the laws of the Kingdom, complaint shall be made to the President who will immediately displace him.

Concluded, Signed and Sealed, at the Royal Palace in the City of Muscat in the Kingdom of Aman the twenty first day of September in the year One thousand, Eight hundred, & Thirty three of the Christian Era, & the Fifty Seventh year of the Independence of the United States of America, corresponding to the Sixth day of the Moon called Iamada Alawel, in the year of the Allhajra (Hegira) Twelve hundred and Forty Nine.

EDMUND ROBERTS [SEAL]³

Whereas the undersigned Edmund Roberts a Citizen of the United States of America, and a resident of Portsmouth in the State of New Hampshire, being duly appointed a Special Agent by Letters Patent, under the Signature of the President and Seal of the United States of America, bearing date at the City of Washington the twenty sixth day of January, Anno Domini One thousand, eight hundred & thirty two, for negotiating & concluding a Treaty of Amity and Commerce between the United States of America, and His Majesty Seyed Syeed bin Sultan of Muscat. Now Know Ye, That I Edmund Roberts, Special Agent as aforesaid, do conclude the foregoing Treaty of Amity & Commerce, and every Article & Clause therein contain'd, reserving the same nevertheless, for the final ratification of the President of the United States of America, by and with the advice & consent of the Senate of the United States.

Done at the Royal Palace, in the City of Muscat, in the Kingdom of Aman, on the twenty first day of September in the year of our Lord One thousand, eight hundred & thirty three, and of the Independence of the United States of America, the Fifty Seventh, corresponding to the Sixth day of the Moon, called Iamada Alawel, in the Year of Allhajra (Hegira) one thousand two hundred and Forty nine.

EDMUND ROBERTS

³ The Arabic text was signed by the Ruler of Muscat.